

PROCLAMATION

BY THE

Governor of the State of Texas

NO.

TO ALL TO WHOM THESE PRESENTS SHALL COME:

I am vetoing and filing with the Secretary of State Senate Bill No. 308, passed at the recently adjourned Regular Session of the Forty-Eighth Legislature.

This bill is general in its terms, but it is inconsistent with prior statutory enactments.

Apparently the bill intends to remove small independent school districts (less than 150 scholastics) from the terms of Article 2742e-1 (Acts 1939, 46th Legislature, p. 293), which provides that the county board of school trustees may abolish or subdivide common school districts or other districts coming under its jurisdiction (which would include independent districts of less than 150 scholastics), which school districts have less than ten resident scholastics and have maintained no school in the district for five years preceding the action of the county board.

If Senate Bill No. 308 should become the law, then the county board would have no jurisdiction to abolish or subdivide small independent districts coming within the terms of Article 2742e-1. Article 2742e-1 is a wholesome statute, for usually a school district having fewer than ten scholastics and which has not conducted a school for five years does not have either the taxable values or the number of scholastics necessary to operate a good and successful school. Therefore, the territory of such district should be added to other school districts which can properly educate the scholastics.

Independent of this, there are yet other reasons to be considered. It is certainly possible that even though the purpose of Senate Bill No. 308 was to take small independent districts from the operation of Article 2742e-1, yet other statutory enactments may be affected. For instance, the general law provides that under certain conditions the qualified electors of an independent school district may by majority vote abolish said district. Senate Bill No. 308 provides that "independent school district shall remain independent school districts regardless of their scholastic enrollment." Does this take away from and deprive the voters of their right to abolish the district?

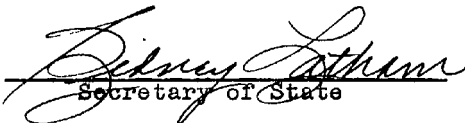
If Senate Bill No. 308 should become the law, certain fundamental policies and rules of school law would certainly be affected and changed, and, it seems, not for the best.

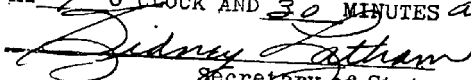
Senate Bill No. 308 reached my office less than ten days before the end of the Regular Session of the 48th Legislature. In accordance with the Constitution, it is being filed with the Secretary of State together with this proclamation containing my objections to the bill.

IN TESTIMONY WHEREOF I have hereunto
signed my name officially and caused
the Seal of State to be affixed hereto
at Austin, this the 27th day of
May, A. D., 1943.


Governor of Texas

BY THE GOVERNOR:


Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
THIS 31st DAY OF May 1943
AT 9 O'CLOCK AND 30 MINUTES a.m.

Secretary of State